

REMARKS

This Amendment is being filed in response to the Final Office Action mailed October 3, 2007, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice.

By means of the present amendment, claims 1, 3-5, 7 and 9-16 have been amended for non-statutory reasons, such as for better form including beginning the dependent claims with 'The', and deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Claims 1, 3-5, 7 and 9-16 were not amended in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, the Examiner objected to the drawings for not shown the primary collimator recited in claim 5. In

response, FIG 1 has been amended to include the primary and secondary collimators as reference numerals 20, 22. Further, the specification has been amended for conformance with the changes to the drawings. In addition, reference numeral 8 has been added to the circular track in FIG 2, for conformance with the specification, such as page 8, lines 1 and 3. Applicant respectfully requests approval of the enclosed proposed drawing changes and withdrawal of the drawing objection.

In the Office Action, the Examiner to the specification for including references to the claims. In response, the specification has been amended to remove the references to the claims. Accordingly, withdrawal of the objection to the specification is respectfully requested.

In the Office Action, the Examiner objected to claim 9 for a certain informality. In response, claim 9 has been amended to remove the informality noted by the Examiner. Accordingly, withdrawal of the objection to claim 9 is respectfully requested.

In the Office Action, claims 1, 11 and 17 are rejected under 35 U.S.C. §102(a) as allegedly anticipated by U.S. Patent No. 3,936,638 (Gibbon). Further, claims 2-10 and 12-16 are rejected

under 35 U.S.C. §103(a) as allegedly unpatentable over Gibbon. It is respectfully submitted that claims 1-21 are patentable over Gibbon for at least the following reasons.

Gibbon is directed to a method of investigating a body using radiation. The energy of the radiation is chosen to be such that the radiation is scattered, rather than absorbed, by the body.

It is respectfully submitted that Gibbon does not teach or suggest the present invention as recited in independent claim 1, and similarly recited in independent claims 11 and 17 which, amongst other patentable elements, recites (illustrative emphasis provided):

wherein the detector is stationary during scanning of the object of interest; and wherein the source of radiation is displaceable along a path during the scanning of the object of interest.

FIG 1 and column 2, lines 12-28 are cited to allegedly show these features. Yet a careful inspection of the noted section reveals that there is simply no mention or suggestion of moving the radiation source and keeping the detector stationary. FIG 1 has a double sided arrow but no description is provided as to what the double sided arrow means. Assuming, arguendo, that the double

sided arrow indicates movement, then there is no indication as to what is moved. Is the entire or a portion of the apparatus moved? Is the source 1, body 2 and detectors all moved?


In summary, Gibbon does not teach or suggest a detector which is stationary during scanning of the object of interest; and a radiation source which is displaceable during the scanning, as recited in independent claims 1, 11 and 17.

Accordingly, it is respectfully submitted that independent claims 1, 11 and 17 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-10, 12-16 and 18-21 should also be allowed at least based on their dependence from independent claims 1 and 11.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By   
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Enclosure: Replacement drawing sheet (1 sheet including FIG 1)  
New Abstract

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